APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,423	06/02/2005	John Thomas O'Brien	PMO-PT046	3183

3624	7590	02/01/2006

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EXAMINER
PATEL, HEMANT SHANTILAL

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>02 June 2005</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-14</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-14</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/2/05 and 10/3/05</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   Claim 5 recites the limitation "the message". There is insufficient antecedent

basis for this limitation in the claim.

2.   Claim 9 recites the limitation "the method of automatically associating" in 8.

There is insufficient antecedent basis for this limitation in the claim.

3.   Claim 10 recites the limitation "the method of the automatic association" in 9.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Picard (US Patent No. 6,115,455), and further in view of Cordero (US Patent Application

Publication No. 2001/0044339 A1).

Regarding claim 1, Picard teaches of a method of automatically allocating a

mailbox to a called party in a digital telephone network including the steps:

receiving a call to be routed to a called party (col. 3, ll. 1-4);

extracting one or more relevant predefined parameters from the call (col. 3, ll. 16-

24, called party telephone number i.e. DID and calling party number i.e. ANI);

using one or more of the extracted parameters to determine the existence of a

mailbox associated with the called party (col. 3, ll. 66-col. 4, ll. 16);

if an associated mailbox exists, translating the call to that mailbox address (col.

3, ll. 56-57, col. 4, ll. 3-4, called party telephone number is mailbox address);

if there is not a mailbox number associated with the called party, allocating a

mailbox to the called party (col. 3, ll. 56-col. 4, ll. 41);

diverting the call to the allocated mailbox (col. 4, ll. 35-41).

Picard does not teach of allocating from a pre-existing pool of mailboxes

available for allocation.

However, in the field of using communications, Cordero teaches of a dynamic

resource of pre-allocated and pre-configured protocol buffer pool for use as needed

(Paragraph 0072).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Picard with the use of pre-allocated and pre-configured

buffers as taught by Cordero in order to provide optimal operation with no memory

allocations/freeing/copying (Cordero, Paragraph 0072).

Regarding claim 2, Picard discloses a method including the steps:

receiving a call to be routed to a called party (col. 3, ll. 1-4);

extracting one or more relevant predefined parameters from the call to identify

the nature of the caller and the nature of the called destination including the called

party's telephone number (col. 3, ll. 16-24);

using one or more of the extracted parameters to examine a database to determine the existence of mailbox identifier associated with the called party (col. 3, ll. 66-col. 4, ll. 16);

if an associated mailbox exists, translating the call to that mailbox address (col. 3, ll. 56-57, col. 4, ll. 3-4, called party telephone number is mailbox address);

if the database does not contain a mailbox identifier associated with the called number, allocating a mailbox to the called party's telephone number (col. 3, ll. 56-col. 4, ll. 41);

diverting the call to the allocated mailbox (col. 4, ll. 35-41);

notifying the called party of the waiting message (col. 5, ll. 30-32).

Picard does not teach of allocating from a pre-existing pool of mailboxes available for allocation.

However, in the field of using communications, Cordero teaches of a dynamic resource of pre-allocated and pre-configured protocol buffer pool for use as needed (Paragraph 0072).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Picard with the use of pre-allocated and pre-configured buffers as taught by Cordero in order to provide optimal operation with no memory allocations/freeing/copying (Cordero, Paragraph 0072).

Regarding claim 3, Picard teaches of deleting and de-allocating the mailbox if the subscriber did not use the mailbox during some preset amount of allotted time (col. 7, ll. 54-57).

Picard does not teach of returning mailbox to a pool of mailboxes available for allocation.

However, in the field of using communications, Cordero teaches of a dynamic resource of pre-allocated and pre-configured protocol buffer pool for allocating and de-allocating a buffer as needed (Paragraph 0072). The de-allocating inherently suggesting returning a buffer to a free pool.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Picard with the de-allocation of pre-allocated and pre-configured buffer to its pool as taught by Cordero in order to avoid unnecessary memory allocation and freeing (Cordero, Paragraph 0072).

Regarding claim 4, Picard teaches of a method of minimizing the amount of required storage space, including the steps of checking allocated mailboxes for expired messages and deleting them (col. 7, ll. 12-14); if the mailbox is not used for a preset amount of allotted time, the mailbox is deleted (col. 7, ll. 54-57).

Picard does not teach of returning mailbox to a pool of mailboxes available for allocation.

However, in the field of using communications, Cordero teaches of a dynamic resource of pre-allocated and pre-configured protocol buffer pool for allocating and de-allocating a buffer as needed (Paragraph 0072). The de-allocating inherently suggesting returning a buffer to a free pool.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Picard with the de-allocation of pre-allocated and pre-

configured buffer to its pool as taught by Cordero in order to avoid unnecessary memory allocation and freeing (Cordero, Paragraph 0072).

Regarding claims 5, 6, 7, refer to rejection for claim 1.

Regarding claims 8, 9, refer to rejection for claim 5. Called party telephone number is the mailbox identifier.

Regarding claim 10, refer to rejection for claim 9 and rejection for claim 1. Mailbox allocation occurs if called party does not have a mailbox.

Regarding claims 11, 12, 13, refer to rejection for claim 3 and rejection for claim 5.

Regarding claim 14, refer to rejection for claim 13. Picard teaches of allocating a mailbox if it is not already allocating to the called party. This can happen after mailbox assigned to the called party was already de-allocated, thus subsequent allocating becomes re-allocating the mailbox. The mailbox was de-allocated according to the conditions recited in claim parent claim 11 which are same as the condition recited by claim 14.

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mohler (US Patent No. 5,930,337) Dynamic Message-Mailbox Size Variation

Bhatia (US Patent Application Publication No. 2004/0131081) Communication Systems And Methods For Exchanging Messages Between Users

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant Patel whose telephone number is 571-272-8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hemant Patel
Examiner
Art Unit 2645

HSP
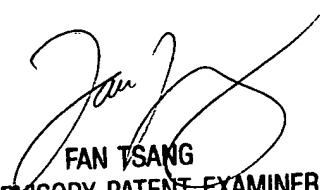
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